



CRL OP(MD). No.17496 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/09/2023

PRESENT

The Hon`ble Mr.Justice P. DHANABAL

CRL OP(MD). No.17496 of 2023

Annalakshmi

... Petitioner/2nd Accused

Vs

State Represented by,
The Inspector of Police,
Sankarankovil Town Police Station,
Tenkasi District.
(Crime No.295 of 2023).

... Respondent/Complainant

For Petitioner : Mr.S.P.Veerapandi,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.295 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/2nd Accused who apprehends arrest at the hands of the



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respondent police for the offences punishable under Sections 294(b), 324 and 506(i) IPC in Crime No.295 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was civil dispute between the accused person and the defacto complainant. Due to previous motive, on 03.08.2023, the petitioner and his husband scolded the defacto complainant and others using filthy language, attacked them using brick and also threatened them with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner would contend that the petitioner is innocent. She is no way connected with the alleged offences. The disputed pathway is petitioner's individual property, not a common property. Due to previous civil dispute, the false case has been given against the petitioner.

4. The learned Additional Public Prosecutor would submit that the path way dispute arose between the parties, when the defacto complainant tried to construct a house. The land was surveyed and the survey report is in favour of the defacto complainant, so that the present occurrence said to have taken place. Further, the injured has been discharged from the hospital.

5. Heard both side and perused the materials available on record.



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6. Considering the submissions on either side and considering that injured is discharged from the hospital, except 506(i) IPC, all other offences are bailable in nature, this this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Sankarankovil, Tenkasi District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent Police on every Saturday at 10.00 am., for the period of four weeks and thereafter, as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
29/09/2023

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/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

TO

1 THE JUDICIAL MAGISTRATE,
SANKARANKOVIL, TENKASI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT.



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3 THE INSPECTOR OF POLICE
SANKARANKOVIL TOWN POLICE STATION,
TENKASI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.P.VEERAPANI, Advocate (SR-14458[I] dated 29/09/2023)

ORDER
IN
CRL OP(MD) No.17496 of 2023
Date :29/09/2023

SS/DD/05/10/2023/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023